

FORM TO BE USED BY A PRISONER FILING A
42 U.S.C. § 1983 CIVIL RIGHTS COMPLAINT
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

I. CAPTION

OTVADDO GUMBA

(Enter the full name of the plaintiff or plaintiffs)

v.

STEVEN MILLER, Kyle Russell

DOUGLAS METT
JOSHUA LEEDEBETTER

(Enter the full name of the defendant or defendants)

II. PARTIES

a. Plaintiff

Full name:

OTVADDO GUMBA

Prison Identification number:

02001449083

Place of present confinement:

Lehigh County Jail

Address:

38 North 4th Street Allentown PA 18102

Place of confinement at time of incidents or conditions alleged in complaint, including address:

Lehigh County Jail

Additional plaintiffs: Provide the same information for any additional plaintiffs on the reverse of this page or on a separate sheet of paper.

b. Defendants: (list only those defendants named in the caption of the complaint, section I)

1. Full name including title:

Steven Miller

Place of employment and section or unit:

Warden of Treatment of L.C.J

2. Full name including title:

Douglas Mett

Place of employment and section or unit:

Treatment Supervisor of L.C.J

3. Full name including title:

Joshua Leedbetter

Place of employment and section or unit:

Case Manager at L.C.J

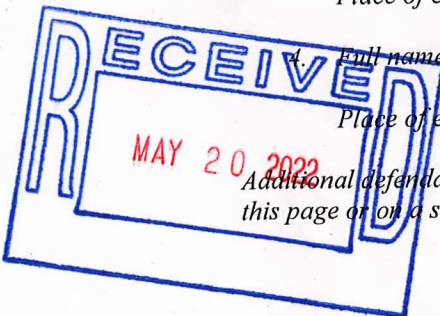
4. Full name including title:

Kyle Russell

Place of employment and section or unit:

Deputy Warden of L.C.J

Additional defendants: Provide the same information for any additional defendants on the reverse of this page or on a separate sheet of paper.



- a. Describe the administrative procedures available to resolve the issues raised in this complaint:

Type of procedure. (grievance, disciplinary review, etc.)

Disciplinary Review

Authority for procedure. (DC-ADM, inmate handbook, etc.)

DC-ADM

Formal or informal procedure.

Formal procedure

Who conducts the initial review?

Joshua Seedbetter

What additional review and appeals are available?

Appeal to The supervisor of Treatment

- b. Describe the administrative procedures you followed to resolve the issues raised in this complaint before filing this complaint:

On what date did you request initial review?

March 30th, 2022

What action did you ask prison authorities to take?

I needed to use law library and telephone

What response did you receive to your request?

That I am not allowed to use telephone nor direct to law library.

What further review did you seek and on what dates did you file the requests?

On March 31st of 2022

I respectfully requested to use law library and telephone

What responses did you received to your requests for further review?

That I am on Disciplinary Segregation that I am not allowed to use electronic lawlibrary nor telephone.

- c. If you did not follow each step of the administrative procedures available to resolve the issues raised in this complaint explain why?

V. STATEMENT OF CLAIM

Instructions:

State here as briefly as possible the facts of your case. Use plain language and do not make legal arguments or cite cases or statutes. State how each defendant violated your constitutional rights. Although you may refer to any person, make claims only against the defendants listed in the Caption, Section I. Make only claims which are factually related. Each claim should be numbered and set forth in a separate paragraph with an explanation of how the defendants were involved. Use the reverse of this page or a separate sheet of paper if you need more space.

Statement of Claim:

I have been on Disciplinary segregation for about fifteen months and I have requested multiple times to use electronic law library in order for me to use knowledge as my defense at court. I need a direct access to law library meaning that I should be able to use a computer or a tablet to directly access to law library because I need review of case law material to use at Honorable Court as matter of law. Furthermore, I have been trying to use electronic libraries because it is efficient and faster rather than ask to somebody else to do for me and wait for fifty pages weekly, and most of the times I do not receive the 50 pages of cases or citations. VI.

RELIEF

Instructions: Briefly state exactly what you want the Court to do for you.

Relief sought:

I am seeking a Federal lawsuit of fifteen million Dollars (\$15,000,000) for violating my first, eighth and fourteenth Amendment of the United States Constitution

VII. DECLARATION AND SIGNATURE

I (we) declare under penalty of perjury that the foregoing is true and correct.

April 4th of 2022
DATE

Oswaldo Cumba
SIGNATURE OF PLAINTIFF(S)

Under the first and fourteenth Amendment to the Constitution, prisoners have right of access to the Courts. United States Constitution Amendments 1 and 14. A prisoner right under the first and fourteenth Amendments of direct access to the Courts means the opportunity to prepare, serve and file whatever pleadings or other documents are necessary or appropriate in order to commence or prosecute court proceedings affecting one's personal liberty; under U.S.C.A., United States Constitution Amendments 1 and 14. Furthermore, a prisoner right under first and fourteenth amendments of direct access to the law library requires prison authorities to assist inmates in preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries. Unlike on Bergh County Jail whereof Douglas Hette, supervisor of treatment, has failed to furnish adequate law libraries stating that inmates on disciplinary segregation do not have access to the law library directly, but through him and most of the times I have to wait weeks and weeks till he replies and answer my requests. Furthermore, Joshua Ledbetter the case manager of disciplinary segregation fails to provide me law library material multiple times. The same thing to use of the telephone. Telephone is a right and not a privilege. He, Joshua Ledbetter states that inmates on disciplinary segregation do not have a right to use telephone violating 1 and 14 Amendments. Furthermore Steven Miller had placed me on DOS on cell with no light, heat & table. I will attach the copies of facts of this civil action violating my 8th Amendment.

DOC #4

INMATE'S REQUEST TO STAFF

Pedida de encarcelado a empleado

LEHIGH COUNTY

DEPARTMENT OF CORRECTIONS

TO (Name and Title of Officer)

PARA: (Nombre y Título)

DATE

(FECHA)

BY: (Inmate Name and ID Number)

DE: (Nombre y Numero)

QUARTERS ASSIGNMENT:

LOCAL DENTRO DE LA CARCEL:

SUBJECT: State completely but briefly the problem on which you desire assistance. Give details.

ASUNTO: Describa completamente pero brevemente el problema con que desea asistencia. Incluya detalles.

Dear Douglas Netto I have an upcoming court on April 11th of current year. I am soliciting to use the Electronic Law Library for my court hearing I need to do some relevant research in order to obtain some knowledge to use at court for my defense, therefore, I really need the law library electronically. Can I please get a tablet for law library purposes...

DISPOSITION: (DO NOT WRITE IN THIS SPACE)

DISPOSICION: (NO ESCRIBA EN ESTE ESPACIO)

Per LCC Disciplinary Segregation Housing Unit Policy, DIS inmates do not have direct access to the Electronic Law Library. DIS inmates desiring legal information must submit an inmate request to staff to the Treatment Department and provide legal or Statutory Citation. DIS inmates are limited to 50 pages of legal information per week, for which they will be charged. Indigent DIS inmates will be provided free copies.

STAFF MEMBER

EMPLEADO DE LA CARCEL

DATE

FECHA

Douglas Netto

4-9-22

DOC #4

LEHIGH COUNTY

INMATE'S REQUEST TO STAFF

DEPARTMENT OF CORRECTIONS

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DATE

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(FECHA)

BY: (Inmate Name and ID Number)

DE: (Nombre y Numero)

QUARTERS ASSIGNMENT:

LOCAL DENTRO DE LA CARCEL:

SUBJECT: State completely but briefly the problem on which you desire assistance. Give details.

ASUNTO: Describa completamente pero brevemente el problema con que desea asistencia. Incluya detalles.

To Mr. Leedbetter, our case manager on three Charlie two. Again and again I am repeatedly requesting these issues to be addressed:

① I need to be placed on a regular cell. I've been on a target cell, 24 cell, a cell with no table, no chair, no light for the past five months. This is a violation of 8th amendment, brutal & unusual punishment. I need to be placed on a regular cell.

② Inmates on Disciplinary Segregation need access of law library. We need access of electronic law library because it is faster and efficient, we need tablet or computer on the pod in order to get knowledge and information to fight our case. I am a pro se at court. I need a tablet for law library purposes. I need to use telephone as well 1st amendment.

③ Inmates on 3C need to have access of BOOKS. In order to fight boredom we should read books to keep our mind busy to learn new vocabularies. Books are friends NOT CONTAINERS.

DISPOSITION: (DO NOT WRITE IN THIS SPACE)

DISPOSICION: (NO ESCRIBA EN ESTE ESPACIO)

- 1) You would need to talk to Security Staff about moving your cell
- 2) You can access the law library through Treatment Supervisor Day Mett. As you are aware you just need to provide him specific case law/citations so he can find what you are looking for.
- 3) Per Policy D/S Inmates are permitted 1 Holy book, 1 inmate handbook, and 1 Inmate Guidelines.

STAFF MEMBER

EMPLEADO DE LA CARCEL

DATE

FECHA

8/31/22

NAME: LEHIGH COUNTY JAIL
36 NORTH 4TH STREET
ALLENTOWN, PA 18102-3489

05/20/22 @umla # 0200144



Michael E. Lung
Clerk of U.S. District Court
Eastern District of Pennsylvania
2609 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797



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